

## UNITED STATES DISTRICT COURT

for the

Western District of Arkansas

United States of America )

v. )

James Mendenhall )

Date of Previous Judgment: April 20, 2004 )

(Use Date of Last Amended Judgment if Applicable) )

Case No: 6:03CR60006-002USM No: 07273-010

pro se

Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 60 months is reduced to 49.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)Previous Offense Level: 33Amended Offense Level: 31Criminal History Category: ICriminal History Category: IPrevious Guideline Range: 135 to 168 monthsAmended Guideline Range: 108 to 135 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):**III. ADDITIONAL COMMENTS**Except as provided above, all provisions of the judgment dated 4/20/2004 shall remain in effect.**IT IS SO ORDERED.**Order Date: April 3, 2008U. S. DISTRICT COURT  
WESTERN DISTRICT ARKANSAS

Judge's signature

Effective Date: APR 03 2008  
(if different from order date)

Honorable Robert T. Dawson, U.S. District Judge

Printed name and title

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK